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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/676,020	09/29/2000	Steven M. Bennett	042390.P9236	3234

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EXAMINER

AZAD, ABUL K

ART UNIT PAPER NUMBER

2654

DATE MAILED: 02/25/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/676,020

Applicant(s)

BENNETT, STEVEN M.

Examiner

ABUL K. AZAD

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on November 17, 2003.
2. Claims 1-3 and 5-23 are pending in this action. Claims 1, 5, 6, 11-15, 18 and 21 have been amended. Claim 4 has been canceled.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 7, 8, 10, 11, 12, 15, 16, 18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru (US, 5,915,001) in view of Hunt et al. (US 6,094,476).

As per claim 1, Uppaluru teaches, "a system comprising":

"a user" (col. 5, lines 34-39);

"a module to identify the user" (user authentication and verification; col. 15, lines 42-51);

"a voice user interface to facilitate communications between the user and the system" (col. 4, lines 38-61, particularly reads on "Internet 101 is a system of linked communications networks that facilitate communication among computers which are coupled to Internet" also reads on IVR);

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"a database to store contextual information pertaining to the user" (col. 8, lines 32-51 reads on "predefined, system and user specific, spoken command and control key word recognition" and col. 11, lines 12-35); and

Uppaluru teaches, at col. 2, lines 53-67, "other component sets are designed to match the key word sets in corresponding to voice web pages such as a calendar page or an address book page enabling user and context dependent navigation and control". Uppaluru does not explicitly teach, "the system to use user-specific contextual information to dynamically change the voice user interface, wherein the voice user interface alters navigational options through the voice user interface that are presented to the user based upon environmental information at the location". However, Hunt teaches, the system to use user-specific contextual information to dynamically change the voice user interface, wherein the voice user interface alters navigational options through the voice user interface that are presented to the user based upon environmental information at the location" (col. 2, lines 15-52 and col. 7, lines 41-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Hunt's teaching of altering navigational options based up on the environmental information at the location in the invention of Uppaluru because Hunt teaches to provide the successful determination of a subscriber's intentions and significantly reduce the likelihood of initiating an unintended operation (col. 1, lines 55-64).

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As per claim 3, Uppaluru teaches, "wherein the user-specific contextual information comprises: an identity of the user; and a current task of the user" (col. 2, lines 42-52, personal identification code, voice print, bookmarks).

As per claim 7, Uppaluru teaches, "a computer program to dynamically generate the ordered delivery of heterogeneous information to the user" (col. 3, lines 49-60, reads on "these preferences are components within the personal profile pages and are easily the voice web system for dynamic retrieval", computer program is inherent in this system).

As per claim 8, Uppaluru teaches, "wherein the ordered delivery of heterogeneous information is organized based upon the user-specific contextual information" (col. 3, lines 49-60).

As per claim 10, Uppaluru teaches, "wherein the ordered delivery of heterogeneous information is organized based upon the sensitivity of the information being delivered to the user" (col. 3, lines 49-60, particularly reads on "the user gets exactly the information relevant to his/her interest in exactly the order of priority he/she prefers").

As per claim 11, Uppaluru teaches, "a telephony interface device capable of communicating to the user in a human voice" (Fig. 1, elements 111 and 107 as a telephony interface device and col. 2, lines 22-41, IVR systems are inherently capable of communicating to the user in a human voice).

As per claim 12, Uppaluru teaches, "a module to generate a grammar file to enhance the ability of the system to comprehend communications between the user and the system" (col. 2, lines 53-67).

As claim 15, Uppaluru teaches, "a method comprising":

"using user-specific contextual information to change a voice user interface" (col. 2, lines 53-67, particularly reads on "other component sets are designed to match the key word sets in corresponding to voice web pages such as a calendar page or an address book page enabling user and context dependent navigation and control", where calendar page and address book page are changes dynamically based on the user's dependent contextual information).

Uppaluru does not teach, "user environmental information to change the voice user interface and altering the security characteristics presented to the user by the voice user interface based upon the environment information at the location of the user". However, Hunt teaches, "user environmental information to change the voice user interface and altering the security characteristics presented to the user by the voice user interface based upon the environment information at the location of the user" (col. 4, lines 34-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Hunt's teaching of altering security characteristics presented to the user based up on the environmental information at the location in the invention of Uppaluru because Hunt teaches to provide the successful determination of

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a subscriber's intentions and significantly reduce the likelihood of initiating an unintended operation (col. 1, lines 55-64).

As per claims 18 and 21, they are interpreted and thus rejected for the same reasons set forth in the rejection of claim 15.

As per claim 16, it is interpreted and thus rejected for the same reasons set forth in the rejection of claims 7 and 8.

5. Claims 2, 5, 6, 9, 13, 14, 17, 19, 20, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru (US 5,915,001) in view of Hunt et al. (US 6,094,476) as applied to claims 1 and 15, 18 and 21 and further in view of Goldberg et al. (US 5,970,446).

As per claim 2, Uppaluru teaches, "wherein the user-specific contextual information comprises: an identity of the user" (col. 8, lines 32-51 reads on "predefined, system and user specific, spoken command and control key word recognition" and col. 11, lines 12-35).

Uppaluru does not explicitly teach that the user-specific contextual information is a current location of the user. However, Goldberg teaches, the user-specific contextual information is a current location of the user (col. 4, lines 32-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Goldberg's teaching in the invention of Uppaluru's invention to know the user's current location to better recognized the user input speech and correctly responding to the user based on the recognition of the speech.

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As per claims 5-6 and 13-14, Uppaluru does not teach:

“wherein the environmental information comprises channel characteristics of a communication device that the user uses to communicate between the user and the system”;

“ wherein the environmental information comprises audio scene information at the location of the user”;

“wherein the environmental information is communicated to the system by the user”

“wherein the environmental information is determined by the system by comparing the audio scene characteristics at the location of the user to known references and selecting the matching environmental scene”.

However, Goldberg teaches:

“wherein the environmental information comprises channel characteristics of a communication device that the user uses to communicate between the user and the system” (col. 3, lines 18-34);

“ wherein the environmental information comprises audio scene information at the location of the user” (col. 4, lines 1-31);

“wherein the environmental information is communicated to the system by the user” (col. 4, lines 32-50).

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"wherein the environmental information is determined by the system by comparing the audio scene characteristics at the location of the user to known references and selecting the matching environmental scene" (col. 4, lines 1-31).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Goldberg's teaching in the invention of Uppaluru's invention to know the user's current location to better recognized the user input speech and correctly responding to the user based on the recognition of the speech.

As per claim 9, Uppaluru does not explicitly teach, "wherein the ordered delivery of heterogeneous information is organized based upon environmental information".

However, Goldberg teaches, "wherein the ordered delivery of heterogeneous information is organized based upon environmental information" (col. 5, lines 59-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Goldberg's teaching in the invention of Uppaluru's invention to know the user's environmental condition to better recognized the user input speech and correctly responding to the user according to user preferred order of priority he/she prefers based on the recognition of the speech.

As per claims 17, 19, 20, 22 and 23, they are interpreted and thus rejected for the same reasons set forth in the rejection of claim 9.

Response to Arguments

6. Applicant's arguments with respect to claims 1-3 and 5-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(703) 305-3838**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richemond Dorvil**, can be reached at **(703) 305-9645**.

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Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

(703) 872-9314

(For informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to 2121 Crystal Drive, Arlington,
VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should
be directed to the Technology Center's Customer Service Office at telephone number
(703) 306-0377.

Abul K. Azad

February 12, 2004


RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER